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### ATTORNEYS FOR DEBTOR SUPERIOR AIR PARTS, INC.

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

IN RE:

\$ Case No. 08-36705

\$ SUPERIOR AIR PARTS, INC.,

\$ Chapter 11

\$ Debtor.

# <u>DEBTOR'S OBJECTION TO CLAIM NO. 26 FILED BY</u> EXPERIMENTAL AIRCRAFT ASSOCIATION, INC.

TO: THE HONORABLE BARBARA J. HOUSER, UNITED STATES BANKRUPTCY JUDGE:

A HEARING MAY NOT BE CONDUCTED HEREON UNLESS A RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT EARLE CABELL BUILDING, U.S. COURTHOUSE 1100 COMMERCE STREET - ROOM 1254 DALLAS, TX 75242-1496 BEFORE CLOSE OF BUSINESS ON SEPTEMBER 10, 2009, WHICH IS THIRTY (30) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A

HEARING WILL BE HELD WITH NOTICE TO ALL INTERESTED PARTIES.

IF NO HEARING ON SUCH NOTICE OR MOTION INITIATING A CONTESTED MATTER IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

Superior Air Parts, Inc. ("Superior"), as debtor and debtor-in-possession, files this objection to the proof of claim 26 filed by Experimental Aircraft Association, Inc., and would show as follows:

- 1. On January 20, 2009, Experimental Aircraft Association, Inc. ("EAA") filed proof of claim number 26 ("Claim 26") in the amount of \$9,987.50, for charges related to magazine advertisement.
- 2. Superior objects to Claim 26 to the extent a portion of the claim was for post-petition advertising and has been paid. Invoice number 1-000522192, in the amount of \$4,993.75, was for advertising for January 2009 and has been paid. Accordingly, the claim amount should be \$4,993.75.

WHEREFORE, the Debtor request that the Court grant this Objection and deny Claim 26, grant EAA an allowed general unsecured claim in the amount of \$4,993.75, and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

SUPERIOR AIR PARTS, INC.

/s/ Stephen A. Roberts
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BANKRUPTCY ATTORNEYS FOR DEBTOR

## **CERTIFICATE OF SERVICE**

The undersigned certifies that true and correct copies of the foregoing pleading were forwarded to the parties listed below via first class U.S. Mail, postage prepaid, on the 11<sup>th</sup> day of August, 2009.

# Claimant:

Experimental Aircraft Association, Inc. c/o Dave Goelzer PO Box 3086 Oshkosh, WI 54903-3086

### **Debtor**:

Superior Air Parts, Inc. 621 S. Royal Lane, Suite 100 Coppell, TX 75019-3805

#### **U.S. Trustee:**

Mary Frances Durham Office of the United States Trustee 1100 Commerce Street, Room 976 Dallas, TX 75242

<u>Counsel for the Committee</u>: David W. Parham, Elliot Schuler & A.Swick Baker & McKenzie LLP 2001 Ross Ave., Suite 2300 Dallas, TX 75201

/s/ Stephen A. Roberts
Stephen A. Roberts